

STATE OF WASHINGTON
**OFFICE OF
INSURANCE COMMISSIONER**
**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF WASHINGTON**

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In the Matter of)	
)	
OHIO CASUALTY INSURANCE)	No. D 99-104
COMPANY,)	
)	CONSENT ORDER
An Authorized Insurer)	
)	

FACTS AND STIPULATIONS

1. Ohio Casualty Insurance Company (hereinafter called "Ohio Casualty") is an authorized insurer in this state.

2. The Insurance Services Office, Inc. (hereinafter called "ISO") is a rating organization, as that term is used in RCW 48.18.100(7). ISO filed with the OIC, on behalf of Ohio Casualty, a Personal Liability and Theft form, which the OIC approved on May 1, 1997, with an effective date of August 1, 1997. Thereafter, the OIC did not receive any notice in any form from either Ohio Casualty or ISO that Ohio Casualty was not going to implement this product. Specifically, the OIC did not receive any notice of non-adoption.

3. Ohio Casualty did not implement the marketing of this product. Instead, Ohio Casualty continued to sell a previous version of this form.

4. Ohio Casualty stipulates to the facts set forth above.

FINDINGS

1. RCW 48.18.100(7) provides that "Every member or subscriber to a rating organization shall adhere to the form filing made on its behalf by the (rating) organization." By continuing to use a

previous version of this form after August 1, 1997, Ohio Casualty violated this statute.

2. RCW 48.05.140(1) authorizes the Commissioner to suspend or revoke Ohio Casualty's certificate of authority for this violation.

3. RCW 48.05.185 authorizes, in lieu of suspension or revocation of Ohio Casualty's certificate of authority, the imposition of a fine in an amount not less than two hundred fifty dollars and not more than ten thousand dollars for each violation of Title 48 RCW or any regulations promulgated thereunder.

CONSENT TO ORDER

Ohio Casualty Insurance Company stipulates to the foregoing facts and findings by the Commissioner. It also consents to a fine in the amount of \$4000. This sum is to be paid in full within thirty days after this order is entered in Olympia, Washington. If the fine is not timely paid in full, the Insurance Commissioner will revoke the certificate of authority of the Ohio Casualty Insurance Company, and the fine will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General, pursuant to RCW 48.05.185.

The Ohio Casualty Insurance Company acknowledges its duty to comply fully with all the applicable laws and regulations of Washington state, including but not limited to those relating to the filing of forms and rates.

Signed this 21st day of October, 1999.

THE OHIO CASUALTY
INSURANCE COMPANY

By _____

Title _____

IT IS ORDERED that pursuant to RCW 48.05.140 and RCW 48.05.185, the Insurance Commissioner imposes a fine upon the Ohio Casualty Insurance Company, in the amount of \$4000. This is to be paid within thirty days of the entry of this order in Olympia, Washington. If the fine is not timely paid in full, subject to the insurer's right to demand a hearing pursuant to chapter 34.05 RCW and chapter 48.04 RCW, the Insurance Commissioner shall revoke the certificate of authority of the Ohio Casualty Insurance Company, and the fine will be recoverable in a civil action brought on behalf of the Insurance Commissioner pursuant to RCW 48.05.185.

SIGNED AND ENTERED THIS 28th day of September, 1999.

By _____
William Kay Kirby

Assistant Deputy Insurance Commissioner